

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

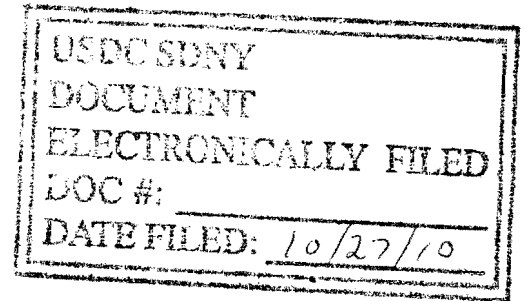
JIMMIE LEE ALLEN,

Petitioner,

v.

DARWIN LACLAIR, SUPERINTENDENT,  
GREAT MEADOW CORRECTIONAL FACILITY,

Respondent.



07 Civ. 11525 (RO)

**ORDER**

OWEN, District Judge:

*Pro se* Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, before Judge Stephen Robinson. Magistrate Judge Smith issued a Report and Recommendation on November 13, 2009, recommending that the petition be dismissed as an improperly filed second and successive habeas petition which is also untimely. On September 14, 2010, this case was reassigned to this Court.

The Court concurs with the Report and Recommendation of Magistrate Judge Smith, and hereby adopts it as the Order of this Court.

SO ORDERED.

October 26, 2010

A handwritten signature in cursive script, appearing to read "Richard Owen".

RICHARD OWEN  
UNITED STATES DISTRICT JUDGE